1 SCOPING AND INFORMATIONAL MEETING LITTLE FALLS - APRIL 26, 2016 - 6:00 P.M. 2 3 BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION 4 AND DEPARTMENT OF COMMERCE 5 In the Matter of the Application of North Dakota Pipeline Company, LLC for a Certificate of Need for the Sandpiper 6 Pipeline Project in Minnesota 7 PUC DOCKET NO: CN-13-473 8 In the Matter of the Application of North Dakota Pipeline Company, LLC for a Pipeline Routing Permit for the 9 Sandpiper Pipeline Project in Minnesota 10 PUC DOCKET NO: PPL-13-474 11 In the Matter of the Application of Enbridge Energy, Limited Partnership for a Certificate of Need for the 12 Line 3 Pipeline Replacement Project in Minnesota from the 13 North Dakota Border to the Wisconsin Border PUC DOCKET NO: CN-14-916 14 15 In the Matter of the Application of Enbridge Energy, Limited Partnership for a Route Permit for the Line 3 Pipeline Replacement Project in Minnesota from the North 16 Dakota Border to the Wisconsin Border 17 PUC DOCKET NO: PPL-15-137 18 19 20 The Falls Ballroom 15870 Minnesota 27 21 Little Falls. Minnesota 22 23 24 25 COURT REPORTER: Janet Shaddix Elling, RPR

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MR. CHARLIE PETERSEN: If I could have your attention again. This is a little slightly different version of the announcement that I made earlier, primarily for those that came in after 6:00. This time between 6:00 and 7:00 is an open house when you can ask questions to the various personnel. Enbridge is over here, the state staff are over on this side here.

One thing that I didn't make note of before, for roughly about the next half hour the court reporter will take comments if you would like to make them privately to her. They will still become part of the minutes for the meeting tonight, but if you don't feel comfortable in making your statement in front of a large group, this is your opportunity to speak to Janet, the court reporter. So if anyone would like to come up and make comments, just come up here and she'll be happy to take your comments.

And then again at 7:00 we'll start with the formal program. We'll do a welcome, we'll go through process, there will be a brief presentation, and then after that we will take members of the public comments.

The only other piece is just simply a

1 reminder. The yellow folder is your key piece. Ιf you would like to make a public comment, other than 2 private ones, during the public comment period, we 3 4 need to have you fill out the green card. You can 5 get those out at the desk. Anybody have any questions? Thank you 6 7 very much. 8 (Break.) 9 (Private comment.) 10 MS. ROBIN HENSEL: Robin, R-O-B-I-N, Hensel. Do you want my middle name too? 11 12 COURT REPORTER: No. How do you spell 13 your last name? 14 MS. ROBIN HENSEL: Hensel, H-E-N-S-E-L. 15 COURT REPORTER: Okav. 16 MS. ROBIN HENSEL: And just a question 17 before I make my statement. 18 Is this to stop this pipeline? Or to 19 stop it from moving? Or -- I can't stay for the 20 presentation because I have to be on a conference 21 call. 22 (Discussion between Jamie MacAlister and 23 Robin Hensel off the record.) 24 MS. ROBIN HENSEL: Okav. So I have concerns about groundwater quality, potential leaks, 25

spills, the environmental hazards associated with transporting oil in any fashion.

I am concerned about tribal rights issues. Human rights by our Native community members.

I'm concerned about air contamination in the event of a spill, as Little Falls, south of Little Falls we experienced a pipeline break and oil was spewing everywhere in a big area along Highway -- the highway headed towards St. Cloud. And my home is located in close proximity to that and the fumes were very noxious.

I am concerned about a potential spill and the cleanup of that, where it would be disposed of. Here it was put into the Morrison County landfill. They used a big liner of some sort, rubber or plastic or something and put it in our landfill. There are concerns with that as well eventually leaking into our groundwater.

And I am quite aware as a citizen monitor of Little Elk River, close to Randall, that our entire watershed is impaired at this point. The Mississippi River in this area is impaired, Little Elk River that I monitor is impaired, as well as a number of tributaries that lead into the

Mississippi. So we have great water concerns in the Little Falls/Morrison County area. And that's it.

(Break.)

MR. CHARLIE PETERSEN: I think we are going to start a few minutes before 7:00 with the formal program. So if anyone would like to come and make comments, you have a few minutes, this is your time to do it with Janet, to do it privately.

Also, if you would like to comment during the public comment time, we need a green card, so if you can hand in your green cards it would be appreciated.

Thank you very much. We'll probably get going again in about five minutes.

(Break.)

(Break.)

MR. CHARLIE PETERSEN: Just a last call for green cards. If anybody has a green card, if any of you would like to provide public comment during that period of the meeting, we do need a green card. So if you would like to make comments, please hand it in to me or to the folks out in the entryway. We'll get going in just a couple seconds.

MR. CHARLIE PETERSEN: Welcome. This is the second meeting of 12 public comment meetings

that we're going to have on the Sandpiper Pipeline and Line 3. We'd like to welcome you and thank you very much for coming out tonight, you taking time away from busy schedules.

I'll go through the process and then

Jamie will do a brief presentation on the pipelines
that we are talking about.

Thank you. Great. At least it's not the squeal past that.

We do have ground rules that we'll be operating from. I think I can do this. A series of three, six, seven, eight ground rules. The bottom line is basically mutual respect, courtesy, and patience. So we can hear your concepts or so we can hear your thoughts on the alternatives, the issues, and the analysis to be included in the environmental impact statement. So that's the key focus.

Secondly, please help me maintain an atmosphere where everyone feels comfortable and welcome.

Third, please don't interrupt anyone when they're speaking at the table, this is their time to be able to provide their comments and get them in the meeting minutes.

Please remain quiet so others and the

court reporter can hear. Which is -- I'm going to introduce Janet. She is the court reporter. And she is the most important person in the room, from my standpoint, and probably from your standpoint also. She is the one who's going to be gathering and capturing your comments. She needs to hear. If she can't hear, she's going to throw something at me or scowl at me or get mad at me and I'll have to say something. So the bottom line is let's keep Janet with that smile on her face through the night. That will make everybody happy out of this.

No signs, banners, we're good with that.

When you're commenting up here, please refrain from addressing the audience, from turning around, asking a show of hands, I request that you don't do that.

The other bottom line is cell phones, please turn them off or turn them to the silent buzz.

With -- I think we had five green cards, so five people that would like to speak. We will have plenty of time to be able to cover those so we'll probably allow folks roughly about five minutes to make public comments.

I do have a timer up here, which I'll try

and position so both the person making the comment and myself can see. I'll give you a two-minute mark warning and a one-minute warning. And I'll go over those before we go through the public comment piece.

I think with that I'm going to be quiet and turn it over to Jamie MacAlister. She's the Environmental Review Manager at the Department of Commerce. She will do a brief presentation on the two lines, the pipelines we're talking about, and also talk about the purpose for the meeting and the process that we go through.

Any process questions from anybody?

Janet, did I screw anything up?

All right. Jamie, I'll let you go.

MS. JAMIE MACALISTER: Good evening,

I'm Jamie MacAlister with the Department of Commerce, Energy Environmental Review and Analysis. Is that better? No? I'll do my best. Is that better?

UNIDENTIFIED: Yes.

Thank you for coming.

MS. JAMIE MACALISTER: Okay. So we are here this evening for the scoping meeting for the Sandpiper pipeline and the Line 3 replacement pipeline.

everyone.

Hopefully you've had a chance to speak with some of the technical staff that are here tonight. We do have technical staff from DNR, Minnesota DNR, the Minnesota Pollution Control Agency, and the Public Utilities Commission. So if you have specific questions that you need to ask our technical staff, please utilize them while they're here.

Let's see. What else can I tell you?

You should all have picked up a yellow folder when you came in. And in your folder, in addition to a copy of the presentation, which is important because it has a lot of useful information on the back page. It has contact information as well as web information, how to get in touch with me, how to comment online. You should have a comment form which you can send in or leave here with us, in addition to making comment this evening.

There should be also be a guide to how you can help us to submit -- or how to submit alternative routes and route segments. That's, again, that's a guide, but it does help us in understanding any route or segment alternative that you may wish to provide us. We've also provided some evaluation criteria, and a table of contents

for how we think the EIS is going to be laid out at this point.

You should also have a couple of maps.

One showing the route alternatives and one showing what has been termed previously as system alternatives. If you're missing any of that information, please see the folks at the front table and they will help you get any information that you may not have.

So I wanted to briefly go over the regulatory framework. For those of you that have been involved in this process for the last couple of years, it's gotten more complicated than it was previously.

So for the certificate of need aspect of these projects, those are governed by Minnesota Statutes 216B and Rule 7853. We also have the routing statutes, 216G, Minnesota Rules 7852. And the EIS for both the certificate of need and the route permit will be prepared according to Minnesota Rule 4410. And as well there will be contested case hearings after the environmental impact statement determination of adequacy has been completed.

So the purpose of these scoping meetings is really to give tribes and the public and local

units of government the opportunity to help us identify issues and impacts that need to be covered in the environmental impact statement. To help and participate in the development of any route segment alternatives. And to help us develop what will be -- we will take all these comments and develop a final scope for this project, that is what the EIS will be based on.

And as you may know, for those of you that have followed any of the Sandpiper proceedings and possibly Line 3, we are on the third round of scoping meetings. So we've had over 30 scoping meetings on both of these projects previously. Some of you may be here this evening because you received a notice in the mail regarding a particular system alternative that is coming through this area. That was proposed during the Sandpiper proceeding, and all the alternatives that have been proposed previously are currently under consideration moving forward into the EIS. It's possible that not all of those alternatives will end up being considered. That's why we provided you with the criteria, the evaluation criteria for these alternatives.

So while we've been out here we had a lot of people telling us what they're concerned about.

So some of these are ground and surface water concerns, concerns about spills, wild rice, pipeline decommissioning, jobs and local economies, and climate change. So we have heard many of these issues and we're trying to get additional issues that you think are important for us to be looking at.

So we've been up here, we've been having all these scoping meetings and tribal technical meetings and agency coordination meetings. In developing the draft scoping document, we're kind of wondering what have we overlooked. So hopefully you're here tonight to tell us what we have not already captured.

So just briefly. We're here, the public information and scoping meetings, there's going to be a very long process before any decision is made on these projects. There will be a final scoping decision that needs to be approved by the Public Utilities Commission. There will be the draft EIS and a final EIS, and then contested case hearings, and a determination on whether or not these projects will be permitted.

And along with all these other meetings, there are still a couple more public comment points

here for the draft EIS and then going into the contested case hearings.

So what goes into developing this EIS?

We take a lot of information from a lot of people.

Local governments, tribal governments, other

interested parties, working with our sister agencies

here, and all that information helps us develop the

EIS. That, in turn, informs the Minnesota Public

Utilities Commission, who ultimately makes this

decision.

So if you have the maps, this shows all the system alternatives that have been proposed previously, and then the route alternatives that are -- it's difficult to tell, but there's quite a large cluster of routes to the east, and in all there's over 50 route alternatives that were proposed during the Sandpiper project, as well as some additional ones during the Line 3 scoping meetings.

So the schedule is very preliminary at this point, 'cause there's still many things that we're not sure how the schedule will play out.

Particularly in terms of how long it will take to have a final scope prepared and approved.

But we expect a draft EIS early in 2017,

draft EIS public meetings shortly thereafter. A final EIS in the late spring of 2017, with an adequacy determination in the summer of 2017. And possibly route permit decisions by the fall of 2017. But, again, the schedule is very preliminary and is very subject to change at this point.

So most of you are here probably to provide us with some comments. You can do that verbally here tonight with Janet. You can also send your comments in to me, you can provide them online, you can fax them to me, any number of ways. But however you want to get your comment to me, just make sure I get it by May 26th and we'll have it in the record.

So, with that, I'm going to turn this over to Charlie.

MR. CHARLIE PETERSEN: Will you stand for some questions of clarity if folks have any?

MS. JAMIE MACALISTER: Yes, questions of clarity.

MR. CHARLIE PETERSEN: A question again of clarity? Something you didn't understand what Jamie stated or were up on the slides? Anybody?

Okay. Let's go --

UNIDENTIFIED: I just had one question.

It lays out, you know, all of those steps, but is this cast in stone? Or what if, you know, during one of the steps something different shows up that hasn't been up here, then is that just adjusted, then?

MS. JAMIE MACALISTER: Yes. This is why the schedule is very preliminary. We've done our best to anticipate if everything were a go, follow it stepwise, a linear progression we expect it to go or something like that. I'm not sure we expect it to go like that, quite frankly, but we've made an effort to try and provide some -- what we think are reasonable estimates, time estimates.

UNIDENTIFIED: But there could be changes?

MS. JAMIE MACALISTER: Yes. I anticipate that there will be changes to the schedule. However, we did our best to try and lay out something that could reasonably be completed in the amount of time. We have 280 days to complete the EIS once that notice goes out. So we've done our best to make sure we can complete our portion of this in 280 days.

MR. CHARLIE PETERSEN: If you couldn't figure out from Jamie's answer, this question was

about the schedule and how tight that is and a question of clarity.

UNIDENTIFIED: Why 280 days? Is that something that's mandated?

MS. JAMIE MACALISTER: Yes, that's what the rule in Minnesota 4410 says, that we have to have an EIS within 280 days.

 $\label{eq:mr.charle} \text{MR. CHARLIE PETERSEN:} \quad \text{Any other}$ questions of clarity?

Okay. Let's get into the public comment time.

Again, the bottom line is, as we talked up here, we want to hear your thoughts on the alternatives, issues, analysis that goes into the environmental impact statement.

Just an observation from the meeting last night. People came up and were supporting or opposed to the pipelines, and that's fine, but that's not necessarily the intention. We're here to hear your thoughts, we're hear to gather information. That's the bottom line aspect from us on this.

The three sort of broad questions that we're looking for, and these are only guidelines, but just to be thinking about. What human and

environmental impacts of the proposed pipeline should be studied in the environmental impact statement? Are there any specific methods to address these impacts, whether to avoid, minimize, or mitigate? And then, lastly, there are alternative routes proposed that Jamie identified on the map, and some criteria have been developed to consider those routes. Are there additional criteria or what criteria should be used in looking at the routing aspect?

Again, a comment before we are here to hear your thoughts. We've gone through the multiple ways that you can make public comment. This is only one way, the oral public comment here. All of these comments will get into the minutes whether they're written, whether they're oral, whether they're emailed in, et cetera, et cetera, and they're all equal. It's not better to email it in or not better to verbally provide it in, they're all equal, they will all get into the document.

We have five cards here of people that would like to make comment. I'll do this in sort of baseball fashion, I'll go in order that's here, with the first person up, the second person is on deck, the third person is in the hole. You've got to come

up with something.

Again, we'll put a five-minute time frame on making comments. I'll put the clock over so we can both see it. I'll give you a two-minute warning, I'll give you a one-minute warning, when the time is up I'll ask you to please complete your thought. And hopefully we can respect that five-minute time frame.

There will be an opportunity, because we've got time tonight, for the folks who'd like to come back and make a second comment, we will allow that to happen, but only after everybody has gone through the process.

I think that's it. I'm going to look back to you, Janet. Anything I missed?

COURT REPORTER: No.

MR. CHARLIE PETERSEN: All right. Give me a couple second to just move some things around. There's a microphone at the table and, unfortunately, it is a -- it's not tethered, so work around with that, it shouldn't provide feedback issues, and I'll get stuff started here.

MS. JAMIE MACALISTER: Can you remind them to just turn it on when they come up?

MR. CHARLIE PETERSEN: Yes. Thank you.

The first person up is Gregory Johnson, the person that's on deck is Claire Steen, and the third person on deck is Mary Johnson.

MR. GREGORY JOHNSON: My name is Gregory Johnson, G-R-E-G-O-R-Y, J-O-H-N-S-O-N.

I live north of the city of Pine River.

I'm a board member of the Pine River Watershed

Alliance and serve on the Conservation Committee of the Leech Lake Area Watershed Foundation to coordinate the activities of the two groups for land preservation and watershed protection. We're in the final stages of preparation of the WRAP for the watershed.

The Pine River Watershed has been designated the number one watershed in the state for water quality and for protection of both source water and drinking water for Minnesota citizens.

The groups mentioned plus the National Forest Service, The Nature Conservancy, the Minnesota Board of Water and Soil Resources, lake associations and others are seeking ways to protect and preserve this watershed.

With regard to the scoping the EAW by the DOC, I have a number of comments to make.

First I'd like to say that I am not

opposed to pipelines. Because of my involvement with and the knowledge I have of this watershed and the fact that Enbridge's proposed route crosses the entire watershed, I strongly oppose the route selected by Enbridge. Their scoping documents do not state that a complete and thorough EIS was mandated by court action and I think that should be in a central part of your document.

The Enbridge corridor is not a Minnesota project. It's a multi-state project, and according to Minnesota Statute 4410.2100, sub 4, when it is multiple projects and multiple stages of a single project that are connected actions or phased actions, they must be considered in total when determining the need for an EIS and in preparing the EIS.

This project includes Canada, North

Dakota, Wisconsin, potentially South Dakota,

Nebraska, Iowa, and states further south to the Gulf

Coast, perhaps with export beyond that. Therefore,

it needs to be completed with all appropriate state

and federal authorities involved as required by NEPA

and MEPA.

The scoping document needs to be clear about the purpose of this project. What is the

public purpose? We know the private purpose and the economic incentives for Enbridge to site the project in the corridor they propose. But EQB states clearly that, quote, in applying exclusion criteria, the RGU must not be overly restrictive in defining the project's purpose and need. Occasionally an RGU will claim desirable but nonessential elements as part of the project's purpose and need, thus eliminating alternatives that should be included. In many cases, these are cost-related factors and, while important, they cannot overrule environmental considerations.

The scoping DSDD states on page 15, 4.3, quote, no field data will be collected and that the applicant's field data will be used, end quote. Has this data been scientifically verified and validated by an outside, independent, reputable organization or is this again pro-Enbridge bias? Does the applicant's field data include all five alternate routes that have been proposed by other public entities? Does Enbridge's data meet the criteria necessary for a complete and scientifically sound EIS that delineates risks, including long-term health of this critical watershed? I think not, due to the overwhelming self-interest, not public

interest, of a private company. The RGU for this project should be an agency with the scientific knowledge and with the experience in doing a comprehensive EIS. I don't think that is the DOC.

 $\label{eq:interpolation} I \mbox{ would like to come back and finish my} \\ \mbox{comments later, if } I \mbox{ may}.$

MR. CHARLIE PETERSEN: Thank you. In all honesty, do you have much left? Why don't you go ahead and complete it. Are folks comfortable with him completing his comments? Okay. I'll still --

MR. GREGORY JOHNSON: Okay. Thank you.

On page 13 the scoping document states, quote, the Pine River facility will be improved, end quote. To my knowledge, there are no pipelines currently in the Pine River area. Was this facility recently constructed by Enbridge and, if so, did they have a prior approval from DOC or PUC?

The scoping document gives one brief mention of colocation of the pipeline with overhead high voltage transmission lines. I have submitted a report from INGAA Foundation, which states the criteria for a pipeline coexisting with electrical power lines. The data of this report shows that the proposed route is in their high-risk category.

Much has been said concerning job

creation of this corridor. If the corridor is approved for a Minnesota location, how many construction jobs would actually be given to Minnesota residents? How many union pipeline workers from outside of the area would come in? If we're truly concerned about Minnesota employment, they should require the pipeline be built with U.S.-produced steel made with Minnesota taconite or iron ore. Perhaps then we would not have had to extend unemployment benefits.

In conclusion, you are being tasked with evaluation of a new pipeline corridor, which may or may not need to be located in Minnesota. The EIS scoping should be done in conjunction with all appropriately qualified authorities in the route selection and should also be done with federal help and coordination. It's too important a decision with long-term consequences to clean water for the citizens of Minnesota to be fragmented and considered in isolation, or scoping it to meet the narrow interests of a Canadian company.

Thank you.

MR. CHARLIE PETERSEN: Thank you very much.

Claire Steen is the next person up. Mary

Johnson is on deck and Cynthia Janes is in the hole.

MS. CLAIRE STEEN: My name is Claire,

C-L-A-I-R-E, Steen, S-T-E-E-N.

My name is Claire Steen. I have a residence in Upper Hay Lake which is north of Pequot Lakes. Currently I am serving as president of the Upper Hay Lake Association.

During my teaching career of 39 years, I had the privilege of being a teacher at Pequot Lakes High School for 32 years. When I first began teaching at Pequot Lakes I was struck by the number of families whose livelihood depended on the tourist industry. Many parents had seasonal or full-time employment at the local resorts. Their children, my students, were employed during the summer working as waitresses, busboys, dock hands, cabin cleaners, and many other jobs. If you have ever traveled to the Pequot Lakes area you know it is brimming with visitors during the summer, enjoying our beautiful lakes and activities that they offer.

If the Sandpiper Pipeline is built in the current proposed route, it will stretch across

Minnesota's most beautiful and natural resource areas including lakes, wetlands, and forests. It will transport oil across our most precious

resource, which is water, to very little value for local residents.

My fear is that if there is an oil spill, there is absolutely no 100 percent guarantee that our water will not be polluted. I have attended several pipeline meetings and understand that 25 percent of the pipeline valves, which are used to turn off sections of the pipeline in the case of a spill, would be located in the Brainerd Lakes area. Even so, the number of pipeline valves is no guarantee that when our water is contaminated with oil it will be totally removed.

With the 28 water crossings identified by the Minnesota Pollution Control Agency, we know that it would be very difficult or take some time to reach an oil spill should it occur. Any amount of oil in our precious water would be an economic disaster for our lake area.

I believe that our lake country in north central Minnesota needs to be fully protected from oil pipeline construction because of the history of Enbridge that is a very real danger to our lakes, wetlands, plants, wildlife and forests. I also urge the State of Minnesota to develop a long-range plan on dealing with pipeline issues so that our state is

always known as a Land of 10,000 Lakes.

It is my hope that grandchildren -- my grandchildren and future generations will be able to fish and enjoy our beautiful lakes as I have been able to do.

Thank you.

MR. CHARLIE PETERSEN: Thank you very much.

Mary Johnson is up, then Cynthia Janes, and Robert Morgan is the last one to speak.

MS. MARY JOHNSON: Hello. Mary Johnson, M-A-R-Y, J-O-H-N-S-O-N. And I've been a resident of Minnesota for over 50 years and am currently living in the rural Backus and Pine River area where I've been living full time for 20 years.

Much attention in the press has been given to the safety of oil traveling by rail, with overt or covert suggestions that public safety is a choice between rail or pipelines. This either/or type of thinking is an example of the type of narrow and only partially accurate information being presented, in my opinion, to the public. If we want to make rail traffic safer, then we should focus on how to do that.

It is my understanding that North Dakota

had not been required to strip volatiles prior to loading in rail cars. This resulted in a very low flash point of 85 degrees Centigrade, resulting in explosions during derailments. Generally, unfortunately, companies do the minimum required by law, not necessarily what is best for public safety.

Rail safety is certainly a separate issue from choosing the best route for a pipeline. The scoping for the EIS should be as broad as possible and include all alternate routes, both within Minnesota and, I would propose, outside of it.

For example, the Bakken North pipeline, which is very near its final approval, this pipeline would travel from Williston, North Dakota through South Dakota and Iowa, ending in Patoka, Illinois. If approved, the Bakken North will transport 450,000 barrels per day of Bakken crude. If Sandpiper is collocated with this pipeline or approved in another route with its 375,000 barrels per day, that combined capacity would amount to 825,000 barrels per day. The current Bakken production is slightly more than one million barrels per day.

Rail shipments would be greatly reduced, but never be eliminated, since refineries on the East Coast that are not served by pipelines will

still require rail shipment. This fact has been pointed out in public meetings by MPCA personnel but seems to get ignored in the push to approve pipelines. Even if Sandpiper is not approved in any route, the decrease in rail shipments with this Bakken North operating will be substantial.

Because the Sandpiper and Line 3 pipeline corridor is not just a Minnesota project, the EIS should be done with the assistance of federal agencies that need to ultimately approve the project. The pipeline scoping should be taking a broad, not a piecemeal, approach in making the right decision for the present and future citizens of Minnesota, keeping in mind that clean water is a safety issue for people as well.

Thank you.

And I did have some questions that another person had addressed as well. And that is more specifically questions about this oil coming from Canada is passing through Minnesota, it's not staying here, not originating here. The same with the North Dakota Bakken oil. Not oil that is either originating in Minnesota or staying in Minnesota. And it seems to me that this is not -- should not be looked at in isolation as a Minnesota project.

Isn't -- coming from Canada, isn't that an interborder situation? And then certainly with these other states involved, it should be an interstate. So I don't understand why the emphasis seems to be on Minnesota, Minnesota, Minnesota, it has to go through here. That's one of my additional questions.

Thank you.

MR. CHARLIE PETERSEN: Thank you very much for your comments.

Go ahead.

MS. CYNTHIA JANES: My name is Cynthia Janes, C-Y-N-T-H-I-A, the last name is Janes, J-A-N-E-S, like Janesville, Wisconsin.

I am a snowbird. I live in the Brainerd Lakes area from April through November. Like many snowbirds, my roots in this area go deep. My great-grandfather worked at the Northern Pacific shop in Brainerd in the late 1800s. My great-uncle turned the weekly Brainerd Dispatch into the daily paper it still is.

Every year my family and I drive or fly thousands of miles to return to the pristine beauty of north central Minnesota. We do this not because we have nowhere else to go, not because we don't

like it where we live the rest of the year, not because there aren't other beautiful places in this great country of ours, but because of our deep and enduring love for these rivers and streams, these lakes, these trees, these birds and animals, as well as the wonderful people who live here full time.

Yes, our presence helps the area economically. But we could do so much more.

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I'm just glad that I'm able to speak today because I'm already back. It would be nice if you could have one of these in Brainerd in the summer.

Now we find that what we value most is at The very integrity of our natural risk. environment. My primary concern is that the cost-benefit analysis of this proposal does not We are asked to place into our pristine soil, conduit that will transport highly hazardous material from Canada and North Dakota through the state of Minnesota. Minnesota will not benefit from this oil, it doesn't start here or end here. There will be short-term gains, monetary, for property owners, elected officials, and temporary workers constructing the pipeline. That's about it as far as benefits for Minnesota.

. .

What are the risks for Minnesota? A buried pipeline can pollute soil and water, as is evidenced by the numerous leaks that have already occurred in Enbridge's current Line 2 pipeline. We cannot afford to defile the sensitive environment of north central Minnesota.

Donald Trump, in The Art of the Deal, wrote as one of his rules, protect your downside. In this case we cannot protect our downside. The downside is perpetual risk of leakage that is forever. When a deal has an unprotectible downside, one should walk away. No pipeline in the lakes area.

MR. CHARLIE PETERSEN: Thank you very much for your comments.

Robert. Go ahead, sir.

MR. ROBERT MORGAN: My name is Robert

Morgan, R-O-B-E-R-T, M-O-R-G-A-N. I live in the

Fort Ripley/St. Mathias area just south of Brainerd.

Some points I'd like to address on this project are that I grew up on a small farm in central Minnesota in a home without hot running water, associated utilities that are taken for granted by most Minnesota residents in the 21st Century. About age 6, I had my earliest close

encounter with the work involved in extracting groundwater. Many times my brother and I had to pump water for hours by hand for our cows and other farm animals. We took turns pumping that steel handle up and down to lift gallons of cold, clear water over 100 feet to the surface. When the pump rods and leathers needed repair, I helped pull the rods and could see at a young age how difficult it was to obtain water. It is and always will be one of the most precious commodities needed by humans.

I am opposed to the toxic contamination of a wide swath of Minnesota lake country as proposed in the planned transit of crude oil by the Enbridge Pipeline Corporation. The extreme disturbance on an intact, high-quality resource that's unwarranted from reasonable alternative options for resource procurement exists. Just recently we had proclamations for funding for clean water and responsible stewardship by Governor Dayton. I think this shows that the general public is very concerned about water in Minnesota.

The statements that should be addressed in the scoping include value versus costs and ought not to be misunderstood there. There is a need to fully analyze the potential impact of the design and

operation of the proposed pipeline on the landscape and the community resources through which it passes.

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As a corporation, Enbridge has criteria other than this -- than the betterment of the communities on which they are focused. Like their concern about the profits because they're financial There is a long history of companies stakeholders. such as Enbridge using selective dialogue in their statements and reports to convince jurisdictional administrators to approve their actions. There were scientists hired associated with the Trans-Alaska pipeline whose direction mandate was to collect data and justify getting the pipeline and corridor approved, not being directed to lie, just to focus on information that increased the likelihood that the project would be approved by an administrator. There is definitely a need to look at the wording and throughout all the statement that is made and to see if we're looking at the same thing.

The pipeline companies often claim they can clean up contaminated water so it has only a few parts per million of toxins. And what is the cost to people's health compared to the bottom line of profits of faceless corporations? Using the fear factor of health of people that may be hurt by an

oil train explosion, this is the basic point of protection for safe, original water sources.

I worked in Alaska a few years and saw how the pipeline changed the landscape in the resident communities. Can we learn from these errors? Every year there are many oil spills that the general public is unaware of or does not even comprehend how they adversely affect humans, let alone the food chain. We can and we should do better in siting, design, and operating these lines. I hope that is addressed in this document.

Let us address the so-called emotional response of citizens being against the Enbridge proposal. It may seem that these people speaking up against the proposed Sandpiper route are somehow mesmerized by the threat of having the north central lake landscape despoiled and exposed to toxic spills. A closer analysis would indicate that it is the oil consortiums that are covering for the excessive greed of their stakeholders. The discussion of how much the alternative options or environmental protection required is the emotional response to the greed of those who seek mainly to benefit financially with minimal regard for local communities and water quality.

It is a privilege to have options to

cheap oil products. In Minnesota, it should be a

right to have access to abundant and clean water.

Thank you very much. Would you like this copy?

COURT REPORTER: Yes, please.

MS. JAMIE MACALISTER: To the question regarding the permit required at the federal level, and for Line 3, Line 3 is already existing and coming in. And that presidential permit does not need to be renewed because they're not exceeding -- the company would not be exceeding what they were permitted in terms of capacity. So that's why the presidential permit piece of this does not have to be reevaluated. That would be reevaluated at the State Department and not by the state.

And as the other complications of coordinating with the other states, to the extent that these portions of -- these projects have already been permitted in other states, we will be using that information and utilizing the information in those other states' EISs that have been done currently for these projects, the permitting is done state by state. And I understand that that is not a logical way to proceed with such a project, but that

is the system that is in place for the permitting of these projects.

What we have to do in Minnesota is make sure that the piece that's coming from Minnesota, that we are fully evaluating the alternatives and the impact of those alternatives that have come up through the scoping processes. That's not to say that the issue -- there will be federal permits, the company will have to apply for those federal permits, but that is done -- again, that will be done not separately, actually, but they will be actually using the states' EIS.

So they do still have to get those permits from other agencies, state and federal agencies, it's just not coordinated through this particular EIS. And that's where we're at on that. I know that that's not a very rewarding answer to your question, but --

MS. MARY JOHNSON: I'm sure it gets very complicated with all of these interrelated approvals, et cetera.

MS. JAMIE MACALISTER: Yes.

MS. MARY JOHNSON: But isn't it still an option that we would not have to accept a pipeline through Minnesota if we -- if these other pipelines

1 are carrying the oil, why would we have to have it come through Minnesota, necessarily? 2 3 MS. JAMIE MACALISTER: Well, the state 4 would still be obligated to assess those 5 applications just to make a determination on those 6 applications one way or the other, to either approve it or deny it. The state still has to go through 7 8 the process of evaluating --9 MS. MARY JOHNSON: But, I mean, it isn't 10 a given just because someone wants to put a pipeline 11 here. 12 MS. JAMIE MACALISTER: No. not at all. 13 MS. MARY JOHNSON: Looking at the broader 14 picture, is this an appropriate state to have a 15 pipeline come through with all of our water 16 resources, as opposed to states that don't have 17 10,000 lakes plus, et cetera. The wonderful water 18 resources we have in our state. 19 MS. JAMIE MACALISTER: Well, and that is 20 why those alternatives that are on the map, those 21 alternatives will be looked at in the context of 22 that. 23 MR. CHARLIE PETERSEN: Is there anyone 24 who would like to make a second comment? Are there

I know

people that would like to make comments?

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there's a hand here, but did I see another hand earlier?

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Why don't you come up and give your name.

And we'll still have that same five-minute time
frame.

MR. MIKE FRANKLIN: All right. Thank you.

My name is Mike Franklin, and I represent the Minnesota Ag Energy Alliance. It's kind of an unusual coalition that's come together well over two years now to support these projects, the proposals. Our allies include members or companies or organizations including the Minnesota Petroleum Marketers Association, the Minnesota Farm Bureau, Minnesota Power, the Minnesota Chamber of Commerce, the Minnesota Agri Group Council, the Minnesota Retailers Association, the United Association representing pipefitters, welders, plumbers, service technicians, the Minnesota Service Station Convenience Store Association, the Midwest Food Processors Association, and many others that have come together, like I said, well over two years ago to ensure a fair and final evaluation preferably on Minnesota's usual process for evaluating these That has not happened. things.

The alliance, though, the Minnesota Ag
Energy Alliance is pleased that this process, the
scoping process for the Sandpiper and Line 3
replacement project, is going forward. A fair and
final evaluation of these projects has been delayed

for far too long and unnecessarily.

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Sandpiper and Line 3 will ensure the safe delivery of abundant, dependable energy that's vital to heating Minnesota's homes, fueling cars and airplanes, and generating electricity for residential and industrial use, far more than for the benefit of one company. In fact, together these projects will create 3,000 construction jobs while providing a \$2.3 billion boost to Minnesota's economy. And that's not my words, that's an analysis that was done by the Bureau of Business and Economic Research at the University of Minnesota -Duluth Labovitz School. And that study in fact found a \$138 million benefit for the 15-county region in hospitality alone. In fact, every dollar spent on these projects in construction yields another 41 cents in spending elsewhere in the economy.

So, in other words, these projects don't just benefit one company or even the people who are

working to build them while they're building them, but realistically benefit many, many more people than that who are here in our state full time. In addition, when the projects are complete they will generate \$25 million annually in Minnesota property taxes, and that's just after the first year of operations of Sandpiper. For all these reasons and many others, it's very critical that we keep these projects

it's very critical that we keep these projects
moving forward and the process on a predictable and
timely path that yields an outcome that is fair and
final.

Thank you.

MR. CHARLIE PETERSEN: Thank you very much.

Okay. Are there any additional comments?

Any folks who would like to make a comment?

Jamie, any closing thoughts? What are sort of the next steps through this.

UNIDENTIFIED: Are you closing this to any other questions?

MS. JAMIE MACALISTER: No, we'll be happy to answer questions. We will close this formal portion of the meeting now and staff will be here, we will be here until 9:00, we'll be happy to answer

1 any questions you have until 9:00. 2 Thanks, everyone, for coming out. 3 appreciate it. MR. CHARLIE PETERSEN: 4 One more piece. 5 If folks want to come up and make comments again privately to Janet, she's also here until 9:00. So 6 7 you can get your comments into the minutes at that point in time. 8 9 Any other final process questions? 10 Thoughts? 11 Thank you very much for coming out 12 tonight. 13 Question? 14 UNIDENTIFIED: Well, I could clarify 15 later, I wanted to understand the experience of the 16 Department of Commerce in running the actual EIS. 17 You can do it later on. 18 MS. MARY JOHNSON: No, that's a good 19 question, we'd like to all hear that. 20 MR. CHARLIE PETERSEN: He was asking the 21 role of the Department of Commerce. Okay, the red 22 light is on. Let me try this again. 23 The gentleman was asking what the role 24 was of the Department of Commerce in its 25 relationship to the environmental impact statement.

Test, test. Now it's working.

MS. JAMIE MACALISTER: Sure. The Energy Environmental Review and Analysis unit is a small unit within Commerce and we serve as technical staff to the Public Utilities Commission. And as typically is done for these projects, a transmission project or in this case of a pipeline, we are the group that's tasked with doing the environmental review for these projects.

UNIDENTIFIED: Thank you.

MS. MARY JOHNSON: Related to that, what is the role of Cardno, is it, that is doing -- what are they doing and how did you procure them to do this? And what are their qualifications for doing the work that they're going to be doing? Could you explain that to the folks here?

MR. CHARLIE PETERSEN: Again, the question -- hang on a second. The question was what is the role of Cardno in this process and what are their qualifications.

MS. JAMIE MACALISTER: Sure. There was a request for proposals that was put out by the state last summer. We received -- the state received numerous -- I wouldn't say numerous proposals, but there were several proposals that were evaluated and

1 that is how that consultant was selected. They will 2 be serving as -- Cardno will be serving as technical staff to our staff. 3 MS. MARY JOHNSON: And what are their 4 5 qualifications and how many of these types of EISs 6 have they done in the past? 7 MR. CHARLIE PETERSEN: Again, the question was qualifications and the number of EISs 8 that they've done. 9 They've done 10 MS. JAMIE MACALISTER: 11 numerous environmental impact statements. If you 12 wanted to get a list of those, you would have to 13 contact the contracting department to get more 14 detailed information. If your question is really 15 related to the contracting portion of this, that is something that you would have to definitely contact 16 17 the contract unit for. 18 MS. MARY JOHNSON: Cardno or --19 MS. JAMIE MACALISTER: For the Department 20 of Commerce. 21 MS. MARY JOHNSON: The DOC? 22 MS. JAMIE MACALISTER: Yes. MR. CHARLIE PETERSEN: Any additional 23 24 questions? 25 MR. LYNN ENGLEHORN: What happens to the

1 easement when the pipeline is abandoned like this 2 might be one. Is that easement maintained or is it 3 abandoned? 4 MS. JAMIE MACALISTER: I'm sorry, sir. 5 Could you tell me your name? MR. LYNN ENGLEHORN: Lynn Englehorn. 6 7 L-Y-N-N, E-N-G-L-E-H-O-R-N. MS. JAMIE MACALISTER: So in this case 8 9 this question would pertain to Line 3 because Line 3 10 is proposed to be replaced. The existing Line 3 11 would remain in place where it is currently and the 12 proposal would be for that line to be completely 13 cleaned out and cut off from any other sources when 14 the new Line 3 was to be in service. And then the 15 right-of-way would be maintained, there's cathodic 16 protection for that, and the corridor will still be 17 maintained. 18 MR. LYNN ENGLEHORN: Okav. 19 MR. CHARLIE PETERSEN: Anything else? 20 Do you want to use this? And I'll give Hang on. 21 her this microphone. 22 MS. MARY JOHNSON: I view this as an 23 educational session as well as giving our views. 24 That brings up the question about these 25 pipelines that are retired, abandoned, whatever you

want to term it. Why are they left in the ground?

Is there anyplace where they, you know, have laws or whatever where they would have to remove these, these companies, after they're done with them, rather than just leaving them there? Do you know if there's, you know, anyplace where they aren't allowed to just leave them?

MS. JAMIE MACALISTER: The answer to that question I don't know specifically, but the proposal that is in place is in compliance with existing federal rules from the PHMSA, the Pipeline Hazardous Materials Safety group, with the federal agency, so their proposal, that proposal for the deactivation is consistent and complies with the existing federal rules.

MR. CHARLIE PETERSEN: A few more questions? We've got time here.

MS. COLLEEN LEBLANC: Colleen LeBlanc, C-O-L-L-E-E-N, L-E-B-L-A-N-C.

I'm just wondering, and maybe you can't answer this, but the gentleman who had talked about an organization of many groups of people and the job numbers and the revenue numbers and all the numbers, I'm just wondering over what period of time that covers? Like has an analysis been done on the

economic impacts of, okay, so we have so many jobs, but how long do they last? And we have people who have come in and build a pipeline, they're all gone, so I'm not quite understanding how that's -- what kind of economic impact that is.

MS. JAMIE MACALISTER: The economic impact will be covered fully in the EIS. That would include the economic impact of building the pipeline, the construction aspect of it, the long-term impact, job impacts associated with it. As well as looking at the regional economies that someone else brought up, in terms of importance to the local and regional economies. So that will all be looked at in detail. So we have not done that analysis yet so I cannot answer that question at this point.

MR. CHUCK PARINS: Chuck Parins, P, as in Peter, A-R-I-N-S.

And I'm just wondering, as part of the process of the EIS, I didn't see anything in there about conditions. Or is that another phase where they may say, similar to the question previously, I mean, the testing regimen and protocols, and do they establish those in an EIS, or things like removing --

MS. JAMIE MACALISTER: I'm not
understanding your question. What conditions are
you referring to, specifically?

MR. CHUCK PARINS: Things that they might
be required to do if a certain alternative was

be required to do if a certain alternative was chosen. They have their own testing protocols, but I don't know if that is included in the EIS, or is that a phase later in specifications or something like that?

MS. JAMIE MACALISTER: Are you talking specifically construction?

MR. CHUCK PARINS: Quality assurance, construction as well as into the future if a certain alternative is picked, does the EIS have any impact at this stage on that, writing specifications or providing conditions into the future if it's a foregone conclusion that the actual pipeline is going to come through Minnesota?

MS. JAMIE MACALISTER: That's a really good question. The EIS will look at the impacts of constructing a pipeline in Minnesota on the alternatives that get carried forward in the EIS. So first that will happen.

They will also have to look at avoidance, minimization, and other ways that we can mitigate

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that impact. And some of those mitigation things that you're talking about in the future would come through the permit conditions. So if the project is permitted, then there would be a whole suite of permit conditions that would go along with that that would be very route specific.

MR. CHUCK PARINS: That's good to Okay. know.

MS. JAMIE MACALISTER: So I think the general construction aspect, what you're referring to, is going to be similar across all alternatives. However, for any given alternative, there would be very specific mitigation that could occur to mitigate, you know, any environmental impacts. can't even begin to go into all the details. for example, crossing a stream, very specific things that we can put into a permit that have conditions that go for the life of the permit.

> MR. CHUCK PARINS: Thank you.

MS. JAMIE MACALISTER: And I'd like to say that that's not just, you know, that would be a permit with the state. There will also have to be permits issued by DNR, there will also be very specific conditions for any permit that would be issued for this project. But, again, I can't say

specifically what those would be until we actually would know if the project is permitted and along which route.

MR. CHUCK PARINS: Thank you.

MR. CHARLIE PETERSEN: Any additional questions?

All right. First of all, thank you very much for your time this evening. Thank you very much for your comments. I thank Janet and Jamie and the folks here for their responses.

We'll be around for roughly about the next hour until 9:00. Again, we'll sort of reopen the open house aspect. If you've got questions, raise them. We'll be here as long as you're here up until 9:00. Thanks.

(Private comment.)

MR. JERRY RYAN: Jerry Ryan, R-Y-A-N.
Pipeliners Local Union 798. I should say I
represent Pipeliners Local Union 798.

The Sandpiper and Line 3 projects will be constructed using modern, high strength steel pipe and fusion-bond coating. Waterways and environmentally sensitive areas will be left undisturbed with the use of directional drilling.

When placed in service, these pipelines will become